

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DARRYL WELCH,

Movant,

-against-

UNITED STATES OF AMERICA,

Respondent.

23-CV-2229 (PKC)

11-CR-0568-7 (PKC)

ORDER

P. KEVIN CASTEL, United States District Judge:

On March 15, 2023, Darryl Welch submitted a motion to modify the conditions of his supervised release, which was filed in his criminal case, *United States v. Welch*, No. 11-CR-0568-7 (ECF Nos. 597-99). A duplicate set of the same papers was treated as a motion brought under 28 U.S.C. § 2255 and opened as a new civil action under docket number 23-CV-2229 (PKC). Because this duplicate civil action appears to have been opened in error, the Court directs the Clerk of Court to close the civil action, 23-CV-2229 (PKC), without prejudice to Welch pursuing this relief in his pending motion, *Welch*, No. 11-CR-0568-7 (ECF Nos. 597-99). All further papers submitted for filing in connection with this motion must include only the criminal docket number and will be docketed only in the criminal case.

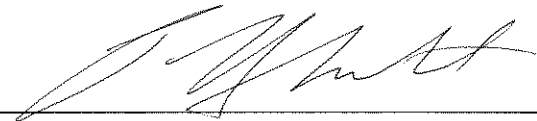
CONCLUSION

The Court directs the Clerk of Court to close the civil action, 23-CV-2229 (PKC), without prejudice to Welch pursuing this relief in his pending motion to modify the conditions of his supervised release, *Welch*, No. 11-CR-0568-7 (ECF Nos. 597-99).

Dated:

New York, New York

3-17-23



P. KEVIN CASTEL
United States District Judge